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FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC PRIORITY 4133

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(☒) Release (☐) Excise (☐) Deny

Exemption(s):

Declassify: (☐) In Part (☒) In Full

(☐) Classify as ☐ (☐) Extend as ☐ (☐) Downgrade to ☐

Date ☐ Declassify on ☐ Reason ☐

[REDACTED] BUENOS AIRES 0318

E.O. 11652: GDS
TAGS: SHUM, AR
SUBJECT: ANALYSIS OF CHRISTMAS RELEASE LIST

REF: STATE 009063, HALLMAN-BUMPUS TELCON JANUARY 13

1. IN REPLY TO AN EMBASSY INQUIRY, EMILIO MIGNONE (PROTECT) OF THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS INFORMED US JANUARY 12 THAT HE BELIEVES AT LEAST 300 PERSONS OF THOSE 389 LISTED ON THE CHRISTMAS RELEASED FROM JAIL. OTHER EMBASSY SOURCES, INCLUDING MSGR. KEVIN MULLEN OF THE NUNCIATURA (PROTECT), HAVE LIKEWISE INDICATED THAT A GOOD PROPORTION OF THOSE ON THE LIST HAVE BEEN FREED, ALTHOUGH ALL EMPHASIZE THAT IT IS A MATTER OF THEIR PERSONAL IMPRESSION AS IT IS IMPOSSIBLE TO KEEP TRACK OF INDIVIDUAL CASES.

2. MIGNONE POINTED OUT THAT THE PERSONS NAMED ON THE LIST FALL INTO TWO CATEGORIES: THOSE WHO HAVE A JUDICIAL CASE PENDING OR WHO HAVE ALREADY BEEN SENTENCED BY A CIVILIAN OR MILITARY COURT AND THOSE WHO HAVE NEITHER A TRIAL NOR SENTENCE PENDING. THOSE IN THE FIRST CATEGORY WERE RELEASED FROM PEN STATUS BUT REMAIN IN JAIL UNTIL THEIR CASE COMES TO TRIAL OR TO

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FULFILL THEIR SENTENCES. THOSE IN THE SECOND CATEGORY WERE MOST LIKELY RELEASED.

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3. CONTRARY TO WHAT HAS HAPPENED IN THE PAST, MIGNONE SAID HE BELIEVED MOST OF THOSE ON THE LIST WERE RELEASED VERY SOON AFTER ITS PUBLICATION. HE ALSO SAID THAT HE HAS HEARD OF NO CASE INAWHICH THE RECENT RELEASEE WAS SUBSEQUENTLY KIDNAPPED OR DISAPPEARED SHORTLY AFTER HAVING BEEN FREED, AS HAS BEEN KNOWN TO HAPPEN IN THE PAST. HE SUGGESTS THAT FAMILIES ARE PROBABLY CONSIDERABLY MORE CAUTIOUS NOW, ARE NOT REVEALING THEIR RELATIVE'S RELEASE AND, WHERE POSSIBLE, ARE MOVING THEM ELSEWHERE WITHIN ARGENTINA OR OUT OF THE COUNTRY. AN ADDED DIFFICULTY IN CONFIRMING THE ACTUAL RELEASE OF PERSONS IS THAT MANY OF THOSE NAMED ON THE LIST ARE FROM THE INTERIOR, HE SAID.

4. A NUMBER OF PERSONS LISTED ARE ALREADY SERVING SENTENCES, AND THEREFORE WERE SIMPLY REMOVED FROM THE PEN BUT REMAIN IN JAIL. MIGNONE NOTED THAT THE PRESS HAD SEVERAL DAYS EARLIER REPORTED THE TRIAL AND SENTENCING OF SEVERAL INDIVIDUALS, SOME OF WHOILATER APPEARED ON THE CRHISTMAS LIST AS RELEASED FROM UNDER PEN. THE SENTENCES RANGED FROM ONE TO 30 YEARS.

5. MIGNONE SAID FOUR OF THE NAMES ON THE LIST CORRESPOND TO PERSONS UNDERSTOOD BY THE PERMANENT ASSEMBLY AS HAVING "DISAPPEARED". AT SOME POINT, THEREFORE, THESE PERSONS PASSED FROM CLANDESTINE DETENTION TO DETENTION UNDER PEN. THE PERMANENT ASSEMBLY HAS NOT BEEN CONTACTED BY THE FAMILIES AND HAS BEEN UNABLE TO CONFIRM THE STATUS OF THESE PERSONS. IT IS UNKNOWN WHETHER THE FAMILIES HAD BEEN INFORMED IN THE MEANTIME THAT THEIR
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DISAPPEARED RELATIVE-HAD IN FACT BEEN ARRESTED BY SECURITY FORCES AND WERE DETAINED UNDER PEN.

6. DESPITE THE DIFFICULTY IN OBTAINING INFORMATION AND THE RELUCTANCE OF FAMILIES TO FOLLOW UP WITH REPORTS OF THEIR RELATIVE'S BEING FREED, MIGNONE INDICATED HE WAS OPTIMISTIC THAT THE LIST WAS AN "HONORABLE" ONE AND THAT AT LEAST 300 PERSONS HAD ACTUALLY BEEN FREED. WE WILL REPORT MORE INFORMATION REGARDING THE LIST AS IT COMES AVAILABLE.
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